

REMARKS

Claims 1-19 are pending in this application, claims 1-11 having been withdrawn from consideration. By this Amendment, claims 12 and 16 are amended. Support for the amendments to claims 12 and 16 can be found, for example, in the instant specification at page 13, line 10 to page 14, line 2 and in original claims 12 and 16. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Personal Interview

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Qi in the December 14, 2005 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

Rejections Under 35 U.S.C. §103(a)**A. Gunning and Abileah**

The Office Action rejects claims 12, 14, 16 and 18 under 35 U.S.C. §103(a) over U.S. Patent No. 5,926,241 to Gunning ("Gunning") in view of U.S. Patent No. 5,818,615 to Abileah et al. ("Abileah"). Applicant respectfully traverses the rejection.

Claim 1 recites "[a] process for producing a retardation element ... comprising: forming a liquid crystal layer on a substrate having aligning power ... curing the liquid crystal layer formed on the substrate by applying first radiation ... and bringing the cured liquid crystal layer into contact with an organic solvent to develop an uncured component of the liquid crystal layer; wherein each of the fine areas of the resulting retardation element has a thickness corresponding to the quantity of the first radiation applied to the respective one of the fine areas" (emphasis added). Gunning and Abileah do not teach or suggest such a process.

The Office Action asserts that Gunning discloses forming a liquid crystal layer, irradiating the liquid crystal layer in the presence of an organic solvent, and again irradiating to cure the liquid crystal layer. The Office Action concedes that Gunning does not disclose varying a quantity of radiation to create fine areas having different retardation values, but asserts that such disclosure can be found in Abileah. Notwithstanding these assertions, Gunning and Abileah would not have rendered obvious the process of claim 12.

The Office Action correctly points out that Gunning discloses forming a liquid crystal layer (*see* FIG. 3, 315), irradiating the liquid crystal layer (*see* FIG. 3, 325), and again irradiating the liquid crystal layer (*see* FIG. 3, 335). However, there is no teaching or suggestion in Gunning regarding bringing the liquid crystal layer into contact with an organic solvent after irradiating with actinic radiation. The only disclosure regarding the use of organic solvents in Gunning relates to preparation of an alignment layer. *See* column 5, lines 48 to 67. However, these solvents are "evaporated off" a substrate before a liquid crystal layer is even applied. *See* column 5, line 52. Nowhere in Gunning is an organic solvent applied to a liquid crystal layer to develop an uncured component of the liquid crystal layer after radiation is applied. Abileah, likewise, is completely devoid of teaching or suggestion of bringing a liquid crystal layer into contact with an organic solvent after applying radiation.

By performing the method of claim 1, fine areas of the resulting retardation element have thicknesses corresponding to a quantity of radiation applied to the respective fine areas. There is no teaching or suggestion in either of Gunning or Abileah that a combination of applying radiation, developing with an organic solvent, and again applying radiation can be used to obtain fine areas in a liquid crystal layer having different thicknesses. By practicing the method of claim 1, it is possible to obtain a retardation element that, when incorporated in a display element comprising pixels, each of the pixels comprising a red display section, a

green display section and a blue display section, provides excellent display characteristics.

See instant specification, page 2, lines 16 to 23.

As both Gunning and Abileah fail to teach or suggest a process in which an organic solvent brought into contact with a liquid crystal layer to develop an uncured component of the liquid crystal layer after radiation is applied to achieve a retardation element including fine areas having thicknesses corresponding to a quantity of radiation applied to the respective fine areas, the combination of Gunning and Abileah fails to teach or suggest each and every element of claim 12.

Claim 12 would not have been rendered obvious by Gunning and Abileah. Claims 14, 16 and 18 depend from claim 12 and, thus, also would not have been rendered obvious by Gunning and Abileah. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Gunning, Abileah and Kuzuhara

The Office Action rejects claims 13, 15, 17 and 19 under 35 U.S.C. §103(a) over Gunning in view of Abileah and U.S. Patent Application Publication No. 2002/0041352 to Kuzuhara et al. ("Kuzuhara"). Applicant respectfully traverses the rejection.

For the reasons set forth in the previous section, Gunning and Abileah would not have rendered obvious the process of claim 12. Kuzuhara is cited for its alleged teaching of applying actinic radiation under a nitrogen atmosphere. However, Kuzuhara, like Gunning and Abileah, fails to teach or suggest a process in which an organic solvent brought into contact with a liquid crystal layer to develop an uncured component of the liquid crystal layer after radiation is applied to achieve a retardation element including fine areas having thicknesses corresponding to a quantity of radiation applied to the respective fine areas. As none of Gunning, Abileah and Kuzuhara teaches or suggests such features, the combination of references fails to teach or suggest each and every element of claim 12.

Claim 12 would not have been rendered obvious by Gunning, Abileah and Kuzuhara. Claims 13, 15, 17 and 19 depend from claim 12 and, thus, also would not have been rendered obvious by Gunning, Abileah and Kuzuhara. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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